

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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W11a

April 22, 2004

TO: Commissioners and Interested Parties

FROM: Charles Lester, Deputy Director
Diane Landry, District Manager
Susan Craig, Coastal Planner

SUBJECT: **CITY OF SANTA CRUZ LCP AMENDMENT NO. STC-MAJ-2-03 CERTIFICATION REVIEW:** Concurrence with the Executive Director's determination that the action of the City of Santa Cruz accepting the Commission's certification of LCP Amendment No. STC-MAJ-2-03 is legally adequate. For Commission review at the meeting of May 12, 2004 in San Rafael.

A. BACKGROUND

The Commission acted on City of Santa Cruz LCP Amendment No. STC-MAJ-2-03 on January 14, 2004. The amendment includes replacement of the certified Land Use Plan policies of the *San Lorenzo River Enhancement and Design Plan* with new policies in the *San Lorenzo Urban River Plan*. The amendment also includes changes to the Implementation Program (Zoning Ordinance) to: 1) further protect historic resources in the City and to streamline the historic alteration review process; 2) allow additional uses (e.g., banks, community, and institutional public facilities) in the downtown area, and; 3) add accessory dwelling units as a principal permitted use in residential zoning districts and remove the coastal permit public hearing requirement for new accessory dwelling units.

The Commission rejected the amendment as submitted but certified the proposed amendment to the LCP if modified with four suggested modifications as follows: 1) Add Tables 5 & 6 from the *Lower San Lorenzo River & Lagoon Management Plan* to the *San Lorenzo Urban River Plan*; 2) Add Figure 12 from the *Lower San Lorenzo River & Lagoon Management Plan* to the *San Lorenzo Urban River Plan*; 3) Add *Operations and Maintenance Policy OM-12* to the LCP to clarify that activities listed in the above-mentioned tables are recommendations that may be adapted annually to address changing direction by appropriate regulatory agencies or to respond appropriately to natural processes, and; 4) add language to the *San Lorenzo Urban River Plan* that prohibits the planting of invasive species.

**City of Santa Cruz LCP Amendment No. 2-03
Certification Review**

B. EFFECTIVE CERTIFICATION

On March 9, 2004, the Santa Cruz City Council held a public hearing and adopted Resolution No. 26,520 which acknowledged receipt of the Commission's resolution of certification, accepted and agreed to the Coastal Commission's modifications, agreed to issue permits in conformance with the modified LCP, and formally approved the necessary changes to the City's LCP (see Exhibit A).

As provided in Sections 13544 and 13544.5 of the California Code of Regulations, for the amendment to become effective, the Executive Director must determine that the City of Santa Cruz's actions are legally adequate and report that determination to the Commission. Unless the Commission objects to the determination, the certification of City of Santa Cruz LCP Amendment No. STC-MAJ-2-03 shall become effective upon the filing of a Notice of Certification for the LCP amendment with the Secretary of Resources, as provided in Public Resources Code Section 2180.5(2)(V).

C. STAFF RECOMMENDATION

Staff recommends that the Commission concur with the determination of the Executive Director that the action of the City of Santa Cruz accepting the Commission's certification of City of Santa Cruz LCP Amendment No. STC-MAJ-2-03 is legally adequate, as noted in the attached letter (Exhibit B), to be sent after Commission concurrence.